

**APR 10 2006**

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCELO BELTRAN MARROQUIN,

Defendant - Appellant.

No. 05-10396

D.C. No. CR-04-05087-AWL

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Anthony W. Ishii, District Judge, Presiding

Submitted April 5, 2006\*\*

Before: HAWKINS, McKEOWN, and PAEZ, Circuit Judges.

Marcelo Beltran Marroquin appeals from the sentence imposed following his guilty-plea conviction for one count of conspiracy to commit mail fraud, in violation of 18 U.S.C. § 371. Specifically, he challenges the \$697,359 restitution

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

ordered by the district court. We have jurisdiction under 28 U.S.C. § 1291 and affirm.

We review for clear error the district court's factual findings with respect to monetary loss to victims. *United States v. Bright*, 353 F.3d 1114, 1118 (9th Cir. 2004). Facts adduced at the sentencing hearing included defendant's admission that he participated in a scheme to file fraudulent unemployment claims, his possession of payroll documents which provided information to further such a scheme, and his connection to addresses receiving \$697,359 in unemployment checks based on fraudulent claims. We conclude the district court did not clearly err in finding these facts supported defendant's liability for restitution in the amount of \$697,359. *See id.*

**AFFIRMED.**